

Shirl Storm

10-51

**From:** ereveles@aol.com  
**Sent:** Tuesday, March 02, 2010 7:53 PM  
**To:** Julius Genachowski; Michael Copps; Robert McDowell; Mignon Clyburn; MeredithAttwell.Baker@fcc.gov; Joel Gurin  
**Cc:** ereveles@aol.com  
**Subject:** FCC Declaratory Ruling, CG Docket No. 10-51/Purple Communications

FILED/ACCEPTED

MAR 10 2010

 Federal Communications Commission  
 Office of the Secretary

Ladies and Gentlemen:

I am writing to you as an extremely concerned employee of Purple Communications, an Interpreter, a deaf family member and as someone who believes in equality and accessibility. I don't believe that the stance the FCC is taking with Purple is judicious or warranted.

It's interesting to me that while said Docket names 24 exact references to previous rulings in its decision, strangely, the paramount justification lying within the statement that "Providers have had ample notice..." has absolutely no reference whatsoever. Since clarification has finally been made on these points, demanding immediate repayment of self-disclosed indebtedment seems not only unreasonable but unfair; especially when evaluating the financial climate of providers and the entire nation.

I find Mr. Gurin's statement particularly inconsistent when he said, "Today's action is...essential to keep VRS on sound footing." The newly implemented rules do the exact opposite of this alleged intent. The adoption of these standards, and retroactive enforcement, promote industry monopolization and is counter intuitive to the principle of which our economy has been founded: Free Enterprise. This will likely place the FCC dependant on one sole Provider, who would be able to leverage control of the market and would have no incentive to provide competitive service, rates or advanced technologies.

I understand that the objective of the FCC is not to secure the employability of a provider's staff; however, these decisions **will** result in a nationally-affected displaced workforce. This will put an even greater strain on the economy and our already over-burdened unemployment insurance system.

As a person with deaf family members, I believe that your actions adversely affect the deaf community as a whole and place further burdens on employers who hire deaf individuals. I worked for several years as a job developer and I saw discrimination happening **everyday**. There are FEW employers who are willing to hire qualified deaf individuals. The VRS industry has taken hundreds if not thousands, of deaf people off of the dependant social security system and enabled them to work in a productive, gainful and linguistically accessible environment. The FCC's insistence on separating an employee's calls as a business expense on an annual cycle seems unrealistic.

On another note, do not these new regulations compromise privacy issues related to call content and impose "forced" questionable practices on providers and their deaf staff with possible detrimental legal ramifications to the employer?

**Our respectful request is that the FCC permit the release of funds owed Purple this week which would allow us to resolve any historical issues while continuing to operate our business; innovating and competing on behalf of the deaf and hard of hearing community.**

 No. of Copies rec'd 0  
 List A B C D E

With Respect and Concern,

Eduardo Reveles  
El Paso, TEXAS

Shirl Storm

10-51

**From:** Tony Youssef [NAY@engineer.com]  
**Sent:** Tuesday, March 02, 2010 3:52 PM  
**To:** Julius Genachowski; Michael Copps; Robert McDowell; Mignon Clyburn;  
MeredithAtwell.Baker@fcc.gov; Joel Gurin  
**Subject:** FW: URGENT! FCC Declaratory ruling

FILED/ACCEPTED

MAR 10 2010

Commissioners Atwell-Baker, Copps, Clyburn, Genachowski, and Gurin: Federal Communications Commission  
Office of the Secretary

I am writing to express my concern and dismay at your declaratory ruling, CG Docket No.10-51/Purple Communications, which implements retroactive repayment and withholding of payment for video relay interpreting services rendered.

Implementation of that ruling will result in the bankruptcy and immediate closure of a dynamic and innovative company that is providing much-needed competition to the video relay services business environment. Purple Communications has consistently demonstrated its commitment to the d/Deaf and hard of hearing (HoH) community by hiring a large percentage of d/Deaf and HoH employees and by generously giving back to the community via large donations to d/Deaf organizations and sponsoring their events.

Purple Communications has consistently pushed for ethical practices in its industry, spending many of its financial resources going head-to-head with the industry leader, Sorenson Communications, to force its compliance with ethical norms.

Purple Communications pushed hard for local 10-digit telephone numbers so that d/Deaf and HoH have the same access to life-saving emergency 911 services, while Sorenson pulled hard against it and dragged its feet on its implementation.

You have repeatedly seen the history of Sorenson Communication's various unfair and unethical behaviors and practices over time. In light of a demonstrated history of dubious activities by Sorenson Communications, is now the time to run its main business competitor, Purple Communications, out of business? If so, it begs the question: Has Sorenson unduly influenced your decision?

Sincerely,

Nader Youssef

No. of Copies rec'd 0  
List A B C D E

Shirl Storm

10-51

**From:** Kayelle Morgan [kayellemorgan@gmail.com]  
**Sent:** Tuesday, March 02, 2010 9:56 AM  
**To:** Julius Genachowski; Michael Copps; Robert McDowell; Mignon Clyburn; MeredithAttwell.Baker@fcc.gov; Joel Gurin  
**Subject:** FCC Declaratory Ruling, CG Docket No. 10-51/Purple Communications

FILED/ACCEPTED

MAR 10 2010

Federal Communications Commission  
Office of the Secretary

Sirs and Madams:

I am first writing to you as a lifetime member of the Deaf Community, Certified Interpreter for 34 years including the Legal Specialist Certificate since 1986. In light of technological advancements in all the traditional vocational trainings that Deaf Individuals were trained in High School to do as in working in Printing Presses and other "noisy" environments has become obsolete.

Currently Deaf Individuals are in Mainstream America working as Professionals. Whether it be as Computer Analysts, IT, Lawyers, Doctors, Teachers, Artists, Physicists, Scientists, and/or other unnamed professions within our Country. I am writing to you as an extremely concerned Interpreter with Deaf family members and friends as well as colleagues. As someone who believes in equality and accessibility. I don't believe that the stance the FCC is taking with TRS is well thought out or warranted. In particular in regard to Purple Communications. This company provides only Certified ASL Interpreters. Many Deaf employees of VRS Companies use other VRS Providers for their personal calls from work to insure privacy.

It's interesting to me that while said Docket names 24 exact references to previous rulings in its decision, strangely, the paramount justification lying within the statement that "Providers have had ample notice..." has absolutely no reference whatsoever. Since clarification has finally been made on these points, demanding immediate repayment of self-disclosed possible monies owed to the FCC seems not only unreasonable but unfair; especially when evaluating the financial climate of providers and the entire nation.

Mr. Gurin's statement is particularly inconsistent when he said, "Today's action is...essential to keep VRS on sound footing." The newly implemented rules do the exact opposite of this alleged intent. The adoption of these standards, and retroactive enforcement, promote industry monopolization and is counter intuitive to the principle of which our economy has been founded: Free Enterprise. This will likely place the FCC dependant on one sole Provider, who would be able to leverage control of the market and would have no incentive to provide competitive service, rates or advanced technologies.

Sorenson Communications is known for it's religious affiliation's with the Mormon Church and abuse of Interpreter's with many fleeing to smaller companies to abate physical injury. This company does not put the communication of "functional equivalency" as it's top priority. In the beginning Sorenson Media hired only the best: Legally Certified Interpreters' and "sold this "face" to the FCC, and the Communities Hearing and Deaf at large with false pretenses.

This my personal observations and opinions of what has transpired over the years since the advent of VRS. This comes not only from my own experiences but experiences shared with me by other ASL Interpreters' and Deaf individuals.

Within a few years the Sorenson Company began summarily finding arbitrary reasons to terminate employment with highly qualified and certified interpreters' and replaced them with "baby" interpreters' who more often than not said the exact opposite of what the Deaf individual was saying

No. of Copies Rec'd  
List A B C D E

since they lack the skill to recognize negation on the face with what Linguists call "Non-Manual-Markers." Hence creating great discord amongst Deaf and Hearing communities. Which brought about a calling for new Companies without Religious affiliation's or ulterior motives as in huge profit margins. These individuals are still present in America and may be called upon to testify to their own personal experience in regard to the "goings on" within Sorenson Communications.

To assume that Sorenson Communications Video Relay Service is a Model Company is a grave error and will create many eventual lawsuits I would speculate would end up at the FCC's door for not researching before moving forward with such plans of a Sole Provider. Sorenson is not the answer to the dilemmas now being faced.

It is discriminatory to say that VRS Companies cannot recover payment for services rendered for private calls made during working hours. Hearing persons make personal calls from work daily to check on their children, make doctors appointments etc. To bar Deaf Individuals is a blatant discrimination against Deaf Individual rights to be equal in the workplace in this Country.

I understand that the objective of the FCC is not to secure the employment of a provider's staff. However, these decisions will result in a nationally-affected displaced workforce for many who are Head of Housholds with one income. This will put an even greater strain on the economy and our already over-burdened unemployment insurance system.

As a member of the deaf community and child with Deaf Parents this gives me grave concerns. There are FEW employers who are willing to hire qualified deaf individuals. The VRS industry has taken hundreds if not thousands, of deaf people off of the dependant social security system and enabled them to work in a productive, gainful and linguistically accessible environment. The FCC's insistence on separating an employee's calls as a business expense on an annual cycle seems unrealistic.

Do new parameters need to be set? Yes, in simple terms. But to deprive Deaf individuals of a choice of VRS provider is not and cannot be equated with other Sole Provider's controlled by the U.S. Government. This is about standards and functional equivalency. Deaf individuals are not Dumb and many serve in very high positions within the U.S. Government such as the D.O.J., D.I.A, C.I.A, The Pentagon, FBI, IRS... on and on... providing the Government with some of their best employees. Does this not command respect from the FCC as U.S. Citizens not immigrants who do not speak English?

On another note, do not these new regulations compromise privacy issues related to call content and impose "forced" questionable practices on providers and their deaf staff with possible detrimental legal ramifications to the employer?

Dismayed and a Concerned Citizen,

Kayelle Morgan  
CSC, SC:L

cc: State Senators: Gloria Romero, Robert Huff, Governor; Arnold Schwarzenegger;  
Representatives: David Drier, Judy Chu; US Senators: Barbara Boxer, Diane Feinstein; President:  
Barack Obama

Shirl Storm

10-51

From: Cary Barbin [cbarbin@mac.com]  
 Sent: Monday, March 01, 2010 5:38 PM  
 To: Julius Genachowski; Michael Copps; Robert McDowell; Mignon Clyburn;  
 MeredithAttwell.Baker@fcc.gov  
 Subject: Recent VRS Ruling and Purple Communications

FILED/ACCEPTED

MAR 10 2010

Federal Communications Commission  
 Office of the Secretary

Dear Chairman Genachowski, Commissioner Copps, Commissioner McDowell, Commissioner  
 Clyburn, and Commissioner Baker,

As a longtime VRS customer and two years employee in Purple Communications' Product Design and Engineering team, I am deeply concerned by the ramifications of the FCC's recent ruling on Feb 25th (CG Docket No. 10-51). The ruling of VRS employees' calls is in a violation of the American Disability Act and Telecommunications Act. It is a civil rights setback and it puts discriminatory burden on the deaf and hard of hearing employees of VRS providers. By making this ruling retroactively to 2008 and withholding monthly payment to Purple (as well as another VRS providers), this would put Purple and other smaller companies in jeopardy financially to continue their operations. Unfortunately, this may includes ceasing operations permanently.

I have been a very loyal Purple (formerly HOVRS before I joined the company) since the inception of VRS. The loyalty goes long way, especially quality of Purple's certified interpreters, and their product innovations giving the customers freedom of choice in using products the way they like. When I came to Purple to work with Product Design and Engineering team, we have been working hard to develop custom software and bringing best products to our customers. I cannot envision being forced to use other VRS providers. It is a basic customer's right to choose a provider that provides best video interpreter quality with best products, and for me, that is Purple.

I have a grave concern that the future of Purple as well as my job being jeopardized by the retroactive financial clawbacks as well as withholding December payment. The future of Purple is on FCC's hands. I request that the FCC permit the release of funds owed Purple this week which would allow us to resolve any historical issues while continuing to operate our business; innovating and competing on behalf of the deaf and hard of hearing community.

Thank you very much,

Cary Barbin

Director, Product Feedback and Program Development A loyal Purple customer from day one of inception

No. of Objections 0  
 List A B C D E

Shirl Storm

10-51

**From:** DJR [djonathanramos@yahoo.com]  
**Sent:** Monday, March 01, 2010 2:36 AM  
**To:** Julius Genachowski; Michael Copps; Robert McDowell; Mignon Clyburn; MeredithAttwell.Baker@fcc.gov; Joel Gurin  
**Subject:** FCC Declaratory Ruling, CG Docket No. 10-51/Purple Communications

FILED/ACCEPTED

MAR 10 2010

Federal Communications Commission  
Office of the Secretary

Ladies and Gentlemen:

I am writing to you as an extremely concerned employee of Purple Communications, an Interpreter, a deaf family member and as someone who believes in equality and accessibility. I don't believe that the stance the FCC is taking with Purple is judicious or warranted.

It's interesting to me that while said Docket names 24 exact references to previous rulings in its decision, strangely, the paramount justification lying within the statement that "Providers have had ample notice..." has absolutely no reference whatsoever. Since clarification has finally been made on these points, demanding immediate repayment of self-disclosed indebtedness seems not only unreasonable but unfair; especially when evaluating the financial climate of providers and the entire nation.

I find Mr. Gurin's statement particularly inconsistent when he said, "Today's action is...essential to keep VRS on sound footing." The newly implemented rules do the exact opposite of this alleged intent. The adoption of these standards, and retroactive enforcement, promote industry monopolization and is counter intuitive to the principle of which our economy has been founded: Free Enterprise. This will likely place the FCC dependant on one sole Provider, who would be able to leverage control of the market and would have no incentive to provide competitive service, rates or advanced technologies.

I understand that the objective of the FCC is not to secure the employability of a provider's staff; however, these decisions will result in a nationally-affected displaced workforce. This will put an even greater strain on the economy and our already over-burdened unemployment insurance system.

As a person with deaf family members, I believe that your actions adversely affect the deaf community as a whole and place further burdens on employers who hire deaf individuals. I worked for several years as a job developer and I saw discrimination happening everyday. There are FEW employers who are willing to hire qualified deaf individuals. The VRS industry has taken hundreds if not thousands, of deaf people off of the dependant social security system and enabled them to work in a productive, gainful and linguistically accessible environment. The FCC's insistence on separating an employee's calls as a business expense on an annual cycle seems unrealistic.

No. of Copies rec'd 0  
List A B C D E

On another note, do not these new regulations compromise privacy issues related to call content and impose “forced” questionable practices on providers and their deaf staff with possible detrimental legal ramifications to the employer?

**Our respectful request is that the FCC permit the release of funds owed Purple this week which would allow us to resolve any historical issues while continuing to operate our business; innovating and competing on behalf of the deaf and hard of hearing community.**

With Respect and Concern,

D. Jonathan Ramos

cc: Assemblyman: Anthony Portantino, Ed Hernandez, Anthony Adams; State Senators: Gloria Romero, Robert Huff, Governor; Arnold Schwarzenegger; Representatives: David Drier, Judy Chu; US Senators: Barbara Boxer, Diane Feinstein; President: Barack Obama

**Shirl Storm**

10-51

**From:** smhterp@aim.com  
**Sent:** Sunday, February 28, 2010 9:57 AM  
**To:** Julius Genachowski; Michael Copps; Robert McDowell; Mignon Clyburn;  
meredithattwell.baker@fcc.gov  
**Subject:** Declaratory ruling: CG Docket No. 10-51

FILED/ACCEPTED

MAR 10 2010

Federal Communications Commission  
Office of the Secretary

Honorable Chairman/Commissioners:

Respectfully, I would like to express my concerns regarding last weeks declarations by the FCC involving Video Relay Services for the Deaf. This will result in the shutdown of all small companies providing this service, leaving one to monopolize the industry. Deaf persons rights are being taken away by this action. I believe the industry needs tighter regulations, more clarity and auditing, but the recent actions will lead to detriment, not improvement.

I request that this declaration be reviewed for impact on the industry, the impact on deaf users of the service (no choice of provider, no guaranteed quality of services, unable to place ANY calls while at home or at work that could be reimbursed, employment opportunity impact for the deaf and hard of hearing community, etc.)

I have been in the field of Deafness for 25 years and am at awe regarding the recent actions.\

My job may be gone as a result of these actions, but i will continue to survive. Many others will not.

PLEASE take action to get funds withheld paid to the companies that are in danger of closing their doors. (All of them, as healthy competition is a good thing and leads to innovation and quality improvements!)

Thank you for taking the time to "listen".

Respectfully,  
Shirley Hedeem  
Management for Purple  
25 years interpreting  
Advocate for Deaf rights

No. of Copies rec'd 0  
List A B C D E

**Shirl Storm****10-51**

**From:** Cheryl Bella [cheryl4bella@yahoo.com]  
**Sent:** Thursday, March 04, 2010 1:07 PM  
**To:** Julius Genachowski  
**Cc:** Cheryl Bella  
**Subject:** Concern on CG Docket No. 10-51- Video Relay Service

**FILED/ACCEPTED**  
**MAR 10 2010**  
 Federal Communications Commission  
 Office of the Secretary

Re: Federal Communications Commission DA 10-314

In The Matter of Structure and Practices of the Video Relay Service  
 CG Docket No. 10-51

Dear Julius,

As the Deaf individual and a heavy user of VRS, I would like to express my perspective onto this letter. When I learned of this FCC Ruling, I immediately felt my stomach turn upside down. This is especially disturbing, concerning Deaf Employment and taking Deaf Community back into the dark ages by the rights ripped away like that without coming down to a **resolution**.

**In The Dark:** Historically below are the 3 that I picked, out of many well known history stories about the Civil Rights Set back for Deaf Community.

1. Back then when silent films were established WITHOUT sound, both hearing and Deaf were able to sit through the movies **together**, enjoying the films. When sound was developed and put into movies, Deaf no longer enjoy the movies. They are put into **the "dark."**
2. When both telephone/radio was invented, the Deaf people was forgotten and are put **into the dark**.
3. Now with this FCC Ruling, this is putting us Deaf **into the dark** again just like in the old days.

This is totally unacceptable. This is like hearing people **without ears, not listening** to concerns/rights of Deaf community.

Purple Communications Inc, is an incredible company. This company has been serving the Deaf/Hard of Hearing (both employment and customers) with good heart, especially with **quality of service**. They have this inspiring passion, simply because they believe in Deaf and Hard of Hearing community.

Here are the highlights on what Purple Communications have done for Deaf community but not limited to:

- Job opportunities for the Deaf/Hard of Hearing for variety of positions.
- Constantly fighting for FCC Rights concerning the Deaf Community regarding VRS use (i.e 10 digital number and interoperability issue,etc).
- Innovative with technology to accommodate the Deaf people's needs to be met for mobile accessibility such as Purple Netbook.

When final Rulings like this to be made diplomatically- needs to hear feedback from the public FIRST such as from **both** Deaf Community and VRS Industry. These valid concerns that needs to be heard, of what

No. of Copies rec'd 0  
 List A B C D E

implications it may effect Deaf Community **both** directly (employment vs unemployment) and indirectly (ADA Rights in Title I of the ADA) which this ADA gives the tools and reasonable accommodations to employees with disabilities at workplace.

With this FCC Ruling especially on “A. VRS Calls Already Compensated Through the Rate Base - paragraphs number 3 and 4,” how would you as an employee, feel if a telephone as your LIFELINE, making all necessary calls in order to get your job done as assigned, has been taken away from you? Then the employer says “Oh I am sorry, you ought to figure out to do the job without a telephone.” Right here, this is the rights being taken away as a Deaf American who needs a job in order to bring bread to the table and a roof over the head to survive, like everyone else. I see on News repeatedly about job unemployment being major issue throughout America especially during this economy period.

This FCC Ruling naturally will influence the potential of rejecting or NOT considering the Deaf/Hard of Hearing candidates for employment and for obvious reasons, the employers may simply prefer to hire hearing candidates instead. For an example, applying for this job position titled Clerical Office Assistant at any VRS Company, for duties description as expected are as follows including; data work and filing but not limited to: Duties include:

1. Placing and expediting orders for supplies, verifying receipt of supplies, provides information
2. In the role of a receptionist by answering telephone calls and taking messages
- 3.

This is a letter with three simple requests:

- 1) FCC permit the release of funds owed Purple this week which would allow us to resolve any historical issues while continuing to operate our business; innovating and competing on behalf of the deaf and hard of hearing community.
- 2) Please reconsider the FCC Ruling (“A. VRS Calls Already Compensated Through the Rate Base - paragraphs number 3 and 4,) by working with VRS Industry and come down to a **resolution**.
- 3) LISTEN with your open ears, not deafened ears for again, a resolution.

May I conclude this letter with this, please don't set back in Deaf Employment with this FCC Ruling but rather find a resolution since this is a big concern on both deaf employment and ADA rights for Deaf community. Please don't take away our civil rights and put Deaf Community **in the dark** again.

Sincerely,

Cheryl Bella

**Shirl Storm**

10-51

**From:** alan jeffery [uncledudly40@msn.com]  
**Sent:** Monday, March 01, 2010 1:34 PM  
**To:** Julius Genachowski; Michael Copps; robertr.mcdowell@fcc.gov; mignon.elyburn@fcc.gov; meredithattwell.baker@fcc.gov  
**Subject:** Please consider releasing the funds owed to Purple

FILED/ACCEPTED

MAR 10 2010

Federal Communications Commission  
 Office of the Secretary

**Sent:** March 01, 2010

**Subject:** Please consider releasing the funds owed to Purple

To: Julius.genachowski@fcc.gov; Michael.copps@fcc.gov; Robert.mcdowell@fcc.gov; Mignon.clyburn@fcc.gov; MeredithAttwell.Baker@fcc.gov

Chairman Julius Genachowski, Commissioner Michael Copps, Commissioner Robert McDowell, Commissioner Mignon Clyburn and Commissioner Meredith Attwell Baker:

I am extremely concerned about the recent FCC ruling on February 25, 2010 (DA 10-314), as it could have negative ramifications to me, and my many deaf friends. This is a civil rights setback toward the employment of people who are deaf, which could lead to reduced employment opportunities among the deaf in the VRS industry who serve their community.

Given this ruling, valuable companies such as Purple Communications could go out of business, and the deaf and hard of hearing community could potentially be left with a single, dominant provider without the opportunity to choose another provider that better fits their individual needs.

No. of Copies received 0  
 List A B C D E

It is my understanding that Purple needs to repay the FCC retroactive payments based on the new ruling, which could financially devastate them. I respectfully request that the FCC permit the release of funds owed Purple this week, allowing them to resolve any historical issues and I can continue using Purple – or any other VRS provider of my choosing.

Thank you very much for your time.

Sincerely,

Alan Jeffery

P.O. Box 1042

Hoodspport, WA 98548

(360) 877-6501

Shirl Storm

-----THE COPY ORIGINAL

10-51

**From:** Will Lee [will.lee@purple.us]  
**Sent:** Monday, March 01, 2010 10:53 AM  
**To:** Julius Genachowski; Michael Copps; Robert McDowell; Mignon Clyburn;  
MeredithAttwell.Baker@fcc.gov  
**Subject:** DA 10-314 / CG Docket No. 10-51  
**Importance:** High

FILED/ACCEPTED

MAR 10 2010

Federal Communications Commission  
Office of the Secretary

Commissioners,

I am an employee of Purple Communications. I am deeply saddened and troubled by the recent declaratory ruling handed down on February 25. As a company who is on the forefront of deaf rights and accessibility under the ADA, I am puzzled at the lack of foresight into the ramifications of the recent ruling.

**FCC's Ruling on Feb-25th is concerning:**

- o Is a civil rights setback and puts a discriminatory burden on deaf and hard of hearing employees of TRS providers.
- o Could lead to reduced employment opportunities among the deaf in a field that serves their community.
- o Retroactive impact of the ruling and related financial clawbacks could be financially devastating for the industry.
- o If small providers go out of business, the consumers and the FCC will be left with a single, dominant provider with no incentive to innovate

**Purple is a good company and worth saving by the FCC:**

- o We are an active member of the communities we serve
- o We are an equal opportunity employer of more than 1,000 people a diverse mix of deaf and hearing throughout all levels of our company
- o We are innovative and have led in developing custom software, new products and services for the deaf and hard of hearing community
- o We along with other smaller providers, stand in the way of total market domination by the largest provider, and such competition is key in giving deaf and hard of hearing users choices for this important service

• **Our respectful request is that the FCC permit the release of funds owed Purple this week which would allow us to resolve any historical issues while continuing to operate our**

**business; innovating and competing on behalf of the deaf and hard of hearing community.**

Sincerely,

William Lee

4021 W Grace

Chicago, IL 60641

224.639.3056

---

Purple Communications, Inc.  
[www.purple.us](http://www.purple.us)

Try one of our Powered by Purple® services:  
[www.hovrs.com](http://www.hovrs.com) [www.i711.com](http://www.i711.com) [www.ip-relay.com](http://www.ip-relay.com) [www.purplelanguageservices.us](http://www.purplelanguageservices.us)

MAR 10 2010

Shirl Storm

Federal Communications Commission  
Office of the Secretary

10-57

**From:** USFJoN@aol.com  
**Sent:** Monday, March 01, 2010 1:14 AM  
**To:** Mignon Clyburn; Michael Copps; Robert McDowell; MeredithAttwell.Baker@fcc.gov; Julius Genachowski  
**Cc:** Thomas Chandler; Cheryl King; Jay Keithley; Jonathan Adelstein; KJMWEB@fcc.gov; dtayloratateweb; FCCINFO; dan.luis@purple.us; John.Ferron@purple.us; ronald.obray@purple.us; kelby.brick@purple.us; Sfarinha@norcalcenter.org; Joel Gurin; Mark Stone; D'Wana Terry; Gregory Hlibok  
**Subject:** Protest Regarding Declaratory Ruling (DA 10-314).

Dear FCC Commissioners,

It is a truly sad historical moment for the Deaf Rights as we know it today, What FCC has done is going to impact us in the long run. It will make our Deaf movements into DARK ages AGAIN! I myself am not willing to go back to TTY era.

**FCC's ruling is very harsh on the smaller VRS companies and will force them to shut down operations if this has not been corrected. It definitely clears favors the BIGGER VRS company which means NO competition on the VRS field, meaning? Future of communication freedom growth will be stopped if not slowed down.** Lately, VRS competition has brought new advancement, new features to allow our deaf friends enjoy true equal communication equality! It also means thousands of jobs will be LOST, more economy strains on the USA Government especially it was ordered by a branch of the USA Government.

My biggest concern with FCC is **FCC has mandated a ruling that is being enforced RETROACTIVELY back to 2008 even though they have NEVER implemented that ruling back in 2008,** They are forcing the company to pay back the income they have already spent on supporting their employees, vendors, and of course, shareholders. **Imagine this IRS decided a rule in 2010 and declare this to be effective as far back as 2008, how will the regular population feel? THINK about this very carefully please. Of course its not fair, and not practical.**

**What have FCC Ruled? and retroactively rule date back to 2008 forcing VRS company to pay back the money already earned.**

In the Declaratory Ruling, the Bureau addressed three different specific reimbursement and calling practices. Specifically, the Bureau emphasized that:

1)Calls made by or to employees of VRS providers and their subcontractors are not eligible for compensation from the TRS Fund on a per-minute basis. Instead, costs of these calls are compensable as a business expense – and only if the VRS provider can demonstrate that they are legitimate business calls. In the past, some providers sought compensation for these costs twice, both at the per-minute rate and as business expenses submitted to the Fund administrator. Today's ruling emphasizes that these costs are compensable only as business expenses, that the expenses must be justified, and that the costs cannot be recovered twice.

2)VRS Voice Carry Over (or VCO) is a service that allows a person who is deaf or hard of hearing to use his or her own voice to speak to a hearing party on a VRS call. The VRS operator will then translate the hearing person's response into ASL for the deaf person on the call. It is possible to abuse VCO to make free long distance calls between two people using their voices. Today's ruling states that such calls cannot be paid for by the Fund.

3)VRS calls that both originate *and* terminate outside of the United States are not compensable from the Fund.

Action by the Chief, Consumer and Governmental Affairs Bureau, February 25, 2010 by Declaratory Ruling (DA 10-314).

#### What does that mean in plain English?

o Is a civil rights setback and puts a discriminatory burden on deaf and hard of hearing employees of TRS/VRS providers.

o Could lead to reduced employment opportunities among the deaf in a field that serves their community.(VRS/TRS will hire only hearing staff to reduce the business expense part.)

- o Retroactive impact of the ruling and related financial clawbacks could be financially devastating for the industry.
- o If small providers go out of business, the consumers and the FCC will be left with a single, dominant provider with no incentive to innovate. **It also requires the Deaf people' hands to be handcuffed because their choices of VRS on their own will be gone. They instead will be FORCED to use a sole provider if FCC goes on with their plan. This is NOT the way that USA operates, We are a country of freedom which allows us to make our own decisions.**

***Any Deaf person, regardless of where they work, should have the right to use ANY VRS of their choice . To deny them that is a violation of their civil rights. Yes, there need to be regulations set that prevent people from taking advantage of the funding, however setting a rule that denies them all access is discriminatory and unfair. It also violates the EEOC rights because It denies Deaf People ability to obtain a job within VRS industry.***

Purple Communications, Inc. is a company that has been greatly impacted by FCC Ruling, It has worked hard to provide excellent employment opportunities for Deaf and hearing people. Purple is a part of the communities it works in. Purple is consistently working on products and services to enhance the lives of deaf and hard of hearing people. If the company run out of business, over 1,200 direct employees will be devastated.

Do not forget, Purple also contracts with many different vendors to provide their equipments, marketing supplies, and their daily operating needs. This act will also affect those vendor finances as well as those 1200 direct employees

You can only imagine the ripple effect of what It will cause?

**Those people will have no way to pay mortgage, car payment, & etc.(more foreclosures/repossessions)**

**Many of those employees/vendors have daycare service and/or nanny service who also will be out of a job (adding strain to already strained unemployment system) .**

**They won't be able to spend the money at grocery stores,and various other stores.(less spending meaning those stores will lay staff and reduce expenses.)**

There are only over 1,200 people working for the company plus many vendors, and NOW .

***Multiply this by the thousands*** to see how devastating this will be adding on to our economy crisis.

My respectful request is that the FCC permit the release of funds owed Purple this week which would allow them to resolve any historical issues while continuing to operate their business; innovating and competing on behalf of the deaf and hard of hearing community.

**Please consider how the FCC's decision affects more than just Purple, but the many people who work there ,contracted vendors, and the lives of people who use their services.**

Thank you

Jon Ziev

Shirl Storm

10-51

**From:** Norma Jeffery [boboobrown@mac.com]  
**Sent:** Sunday, February 28, 2010 6:43 PM  
**To:** Julius Genachowski; Michael Copps; Robert McDowell; Mignon Clyburn;  
MeredithAttwell.Baker@fcc.gov  
**Subject:** Please consider releasing the funds owed to Purple

FILED/ACCEPTED

MAR 10 2010

Federal Communications Commission  
Office of the Secretary

**Subject:** Please consider releasing the funds owed to Purple

February 28, 2010

Chairman Julius Genachowski, Commissioner Michael Copps, Commissioner Robert McDowell,  
Commissioner Mignon Clyburn and Commissioner Meredith Attwell Baker:

I am extremely concerned about the recent FCC ruling on February 25, 2010 (DA 10-314), as it could have negative ramifications to me, and my many deaf friends. This is a civil rights setback toward the employment of people who are deaf, which could lead to reduced employment opportunities among the deaf in the VRS industry who serve their community.

Given this ruling, valuable companies such as Purple Communications could go out of business, and the deaf and hard of hearing community could potentially be left with a single, dominant provider without the opportunity to choose another provider that better fits their individual needs.

It is my understanding that Purple needs to repay the FCC retroactive payments based on the new ruling, which could financially devastate them. I respectfully request that the FCC permit the release of funds owed Purple this week, allowing them to resolve any historical issues and I can continue using Purple – or any other VRS provider of my choosing. I feel it is important to save all these jobs.

No. of Copies rec'd 0  
List A B C D E

Thank you very much for your time.

Sincerely, Norma Jeffery

P.O. Box 1042 Hoodsport, WA 9854

(916)877-6501

Shirl Storm

10-57

**From:** Abel Cosentino [abelcosentino@gmail.com]  
**Sent:** Sunday, February 28, 2010 11:11 AM  
**To:** Michael Copps  
**Subject:** Purple Communications possible Closure

FILED/ACCEPTED

MAR 10 2010

Federal Communications Commission  
Office of the Secretary

Dear Commissioner Copps,

I write this email with deep respect for your position and authority on matters that pertain to Federal funds and government programs that United States Citizens rely on for the em-betterment of day to day lives. More specifically to the recent FCC ruling on February 25, 2010 (DA 10-314).

The recent FCC decision to disallow deaf employees to place calls using a VRS provider that they work for is a civil setback that puts a discriminatory burden on these people. While I understand there have been those who took advantage of the situation, I believe Purple Communications has complied with the regulations set forth by the FCC. If this is to foster growth by allowing these deaf employees to use ANOTHER VRS provider where minutes are reimbursable at least by the other vendor, then I can see where this would still be accessible for the deaf community. I grew up with deaf parents, and let me tell you the struggles we children of deaf parents had interpreting for bank transactions at 5 years of age is no easy task. Video Relay Service has opened the door to this world of communication for those who cannot hear. Is it possible to release payment to Purple Communications this week so that they may resolve whatever issues need to be resolved in retro payback?

I neglected to mention that I would be losing my job this week if Purple Communications is not paid for December 2009 reimbursable minutes. I can only think of one company that can afford to pay retroactively - Sorenson Communications. While this is good for them since they will be the "Last man standing" - it is bad for the industry as a whole as this would foster a monopoly. Sorenson already has 80% of the market.

You see, the industry needed some kind of guidance - and you have set rules where a direction is now in place.

Purple Communications is a great company worth saving because:

- \* I have seen first hand that it is an active member of the community we serve
- \* Purple is an equal opportunity employer of more than 1000 deaf & hearing individuals (it is very hard for deaf people to get jobs due to the world view of a supposed impairment)
- \* Purple, along with other smaller providers stand in the way of total market domination by the largest provider, and such competition is key in giving deaf and hard of hearing users choices for this important service.

Thank you for your hard work on this matter - you all really have made a positive impact of the third largest language in the United States, American Sign Language users.

Respectfully,

Abel Cosentino

No. of Copies rec'd 0  
List A B C D E



Shirl Storm

DOCKET FILE COPY ORIGINAL

10-51

**From:** Abel Cosentino [abelcosentino@gmail.com]  
**Sent:** Sunday, February 28, 2010 11:10 AM  
**To:** Julius Genachowski  
**Subject:** Purple Communications possible Closure

FILED/ACCEPTED

MAR 10 2010

Federal Communications Commission  
Office of the Secretary

Dear Chairman Genachowski,

I write this email with deep respect for your position and authority on matters that pertain to Federal funds and government programs that United States Citizens rely on for the em-betterment of day to day lives. More specifically to the recent FCC ruling on February 25, 2010 (DA 10-314).

The recent FCC decision to disallow deaf employees to place calls using a VRS provider that they work for is a civil setback that puts a discriminatory burden on these people. While I understand there have been those who took advantage of the situation, I believe Purple Communications has complied with the regulations set forth by the FCC. If this is to foster growth by allowing these deaf employees to use ANOTHER VRS provider where minutes are reimbursable at least by the other vendor, then I can see where this would still be accessible for the deaf community. I grew up with deaf parents, and let me tell you the struggles we children of deaf parents had interpreting for bank transactions at 5 years of age is no easy task. Video Relay Service has opened the door to this world of communication for those who cannot hear. Is it possible to release payment to Purple Communications this week so that they may resolve whatever issues need to be resolved in retro payback?

I neglected to mention that I would be losing my job this week if Purple Communications is not paid for December 2009 reimbursable minutes. I can only think of one company that can afford to pay retroactively - Sorenson Communications. While this is good for them since they will be the "Last man standing" - it is bad for the industry as a whole as this would foster a monopoly. Sorenson already has 80% of the market.

You see, the industry needed some kind of guidance - and you have set rules where a direction is now in place.

Purple Communications is a great company worth saving because:

- \* I have seen first hand that it is an active member of the community we serve
- \* Purple is an equal opportunity employer of more than 1000 deaf & hearing individuals (it is very hard for deaf people to get jobs due to the world view of a supposed impairment)
- \* Purple, along with other smaller providers stand in the way of total market domination by the largest provider, and such competition is key in giving deaf and hard of hearing users choices for this important service.

Thank you for your hard work on this matter - you all really have made a positive impact of the third largest language in the United States, American Sign Language users.

No. of Copies rec'd 0  
List A B C D E

**From:** Julie K. Shepard [libertykay@sbcglobal.net]  
**Sent:** Sunday, February 28, 2010 2:12 AM  
**To:** Julius Genachowski; Michael Copps; Robert McDowell; Mignon Clyburn;  
MeredithAttwell.Baker@fcc.gov  
**Subject:** Please consider releasing the funds owed to Purple

February 27, 2010

FILED/ACCEPTED

MAR 10 2010

Federal Communications Commission  
Office of the Secretary

Chairman Julius Genachowski, Commissioner Michael Copps, Commissioner Robert McDowell,  
Commissioner Mignon Clyburn and Commissioner Meredith Attwell Baker:

I am extremely concerned about the recent FCC ruling on February 25, 2010 (DA 10-314), as it could have negative ramifications to me, and my many deaf friends. This is a civil rights setback toward the employment of people who are deaf, which could lead to reduced employment opportunities among the deaf in the VRS industry who serve their community.

Given this ruling, valuable companies such as Purple Communications could go out of business, and the deaf and hard of hearing community could potentially be left with a single, dominant provider without the opportunity to choose another provider that better fits their individual needs.

It is my understanding that Purple needs to repay the FCC retroactive payments based on the new ruling, which could financially devastate them. I respectfully request that the FCC permit the release of funds owed Purple this week, allowing them to resolve any historical issues and I can continue using Purple – or any other VRS provider of my choosing.

Thank you very much for your time.

Sincerely,

Julie K. Shepard Warren

No. of Copies rec'd 0  
List A B C D E

1209 Darling Way  
Folsom, CA 95630  
916-984-7514